

16/68227TW  
Application No. 10/249,848  
Responsive to Office action of August 25, 2004

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November 24, 2004

### REMARKS

Applicant thanks the Examiner for the thoughtful review of the application.

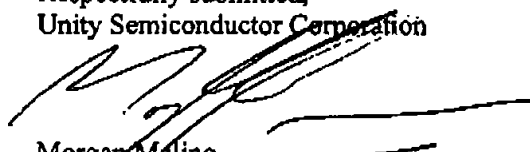
Claim 27 was found to have allowable subject matter, and has been rewritten in independent form. In the examiner's statement of reasons for the indication of allowable subject matter, the examiner implied that the combination of a seed layer and a barrier layer in an electrode was patentable. Independent claims 1, 38 and 41 have been amended to describe the combination of both the seed layer and the barrier layer. Accordingly, the examiners objections appear to be moot in light of the amendments.

Additionally, the phrase "the second polarity being opposite to the first polarity" has been added to independent claim 1. Such language further distinguishes the invention of claim 1 from the chalcogenide references. In FIG. 8 of U.S. Pat. No. 5,296,716 to Ovshinsky et al. the resistance is depicted as changing over the range of voltages between 3 Volts and 11 Volts. The graph does not even include negative values. The chalcogenide references cited by the examiner do not appear to contemplate using positive voltages to program the memory element to a first resistive value and negative voltages to program the memory element to a second resistive value.

Since all independent claims have been amended to describe both a barrier layer and a seed layer, any further commentary on the August 25, 2004, Office Action would be gratuitous.

Applicant now believes the present case to be in condition for allowance, and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application the undersigned can be reached at (408) 737-7200 x114.

Respectfully submitted,  
Unity Semiconductor Corporation



Morgan Malino  
Associate General Counsel of Intellectual Property  
Reg. No. 41,177

250 North Wolfe Road  
Sunnyvale, CA 94085-4510